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Attorneys for Plaintiff
ETHICON WOMEN'S HEALTH & UROLOGY
DIVISION OF ETHICON, INC. (erroneously sued
as GYNECARE, INC.); ETHICON, INC.; and
JOHNSON & JOHNSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RENAE L. BIGELOW, a single woman,

Plaintiff,

v.

GYNECARE, INC., a California
corporation; ETHICON, INC., a New
Jersey corporation; JOHNSON &
JOHNSON, a New Jersey corporation;
DOES ONE through FIFTEEN,
corporation,

Defendant.

Case No. CV 10-00312 MHP

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Courtroom: 15
Judge: Hon. Marilyn Hall Patel

Complaint Filed: December 23, 2009
Trial Date: Not set

The Parties in the above-captioned action hereby stipulate and agree to the entry of an Order Continuing the Case Management Conference presently set for May 10, 2010 at 4:00 p.m. and in support of the requested relief state:

1. On December 23, 2009, Plaintiff filed her Complaint in the Superior Court of California, San Mateo County. Defendants answered in state court on January 21, 2010.
2. On January 22, 2010, Defendants removed this action to the U.S. District Court for

1 the Northern District of California. A case management conference was set by Magistrate Judge
2 Bernard Zimmerman for May 10, 2010.

3 3. Pursuant to an Order for Reassignment issued February 18, 2010, this action was
4 reassigned to this Court.

5 4. On February 19, 2010, the Court issued an order scheduling a case management
6 conference for May 10, 2010 at 4:00 p.m.

7 5. Defendants have filed a Motion to Transfer Under 28 U.S.C. § 1406(a) or, in the
8 alternative, 28 U.S.C. § 1404(a) to the U.S. District Court for the District of Colorado. Hearing is
9 set for May 3, 2010 at 2:00 p.m. The Parties agree that continuing the case management
10 conference until after resolution of the pending motion will best serve the interests of efficiency.
11 Among other things, a continuance could avoid the need for duplicative conferences that may
12 result from different case management practices of a new judge should this action be transferred.

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1 WHEREFORE, the Parties respectfully request that this Court enter an Order Continuing
2 the Case Management Conference presently set for May 10, 2010 at 4:00 p.m. until a date
3 subsequent to the Court's ruling on Defendants' pending Motion to Transfer. The Parties will be
4 prepared to discuss alternative agreeable dates for the case management conference, if necessary,
5 at the hearing on Defendants' Motion.

6 IT IS SO STIPULATED.

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8 Dated: April 5, 2010

DRINKER BIDDLE & REATH LLP

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10 By: /s/ Ryan T. Almstead

ALAN J. LAZARUS

RYAN T. ALMSTEAD

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12 Attorneys for Plaintiff

ETHICON WOMEN'S HEALTH & UROLOGY DIVISION
13 OF ETHICON, INC. (erroneously sued as GYNECARE,
INC.); ETHICON, INC.; and JOHNSON & JOHNSON

14 Dated: April 5, 2010

PHILLIPS & ASSOCIATES

15
16 By: /s/ Elizabeth Dudley

LOWELL W. FINSON

ELIZABETH DUDLEY

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18 Attorneys for Plaintiff

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 RENAE L. BIGELOW, a single woman,

13 Plaintiff,

14 v.

15 GYNECARE, INC., a California
16 corporation; ETHICON, INC., a New
17 Jersey corporation; JOHNSON &
18 JOHNSON, a New Jersey corporation;
DOES ONE through FIFTEEN,
corporation,

19 Defendant.
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Case No. CV 10-00312 MHP

VACATING

~~[PROPOSED] ORDER TO CONTINUE~~
CASE MANAGEMENT CONFERENCE

1 Based on the stipulation of the Parties and for good cause shown, **IT IS HEREBY**
2 **ORDERED:**

3 The Case Management Conference presently set for May 10, 2010 at 4:00 p.m. shall be
4 ~~continued until~~ vacated and reset after _____, pending resolution of Defendants' Motion
5 to Transfer, which is scheduled to be heard on May 3, 2010 at 2:00 p.m. as appropriate. ←
6 prepared to discuss alternative agreeable dates for the case management conference, if necessary,
7 at the hearing on Defendants' Motion.

8 **PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS SO**
9 **ORDERED.**

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11 Dated: 4/8/2010

12 BY THE COURT

